

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES A. COUTTS,	)	
	)	
Petitioner,	)	8:19CV218
	)	
v.	)	
	)	
DEPARTMENT OF	)	ORDER
CORRECTIONAL SERVICES,	)	
SCOTT FRAKES, MICHELLE	)	
CAPPS, Warden, KEARNEY	)	
COUNTY SHERIFF'S	)	
DEPARTMENT, SCOTT WHITE,	)	
Sheriff, CORY ZIOLA, Deputy	)	
Sheriff, SHANE MONTHEY, Deputy	)	
Sheriff, JUSTIN GLANZER, Deputy	)	
Sheriff, and THOMAS G. LIESKE,	)	
Attorney,	)	
	)	
Respondents.	)	
_____	)	

Petitioner filed a Petition for Writ of Habeas Corpus (Filing No. 1) and a Motion for Leave to Proceed in Forma Pauperis (Filing No. 2). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. [28 U.S.C. § 1914\(a\)](#). However, after considering Petitioner's financial status as shown in the records of this court (*see* inmate trust account statement at Filing No. 3), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* [28 U.S.C. § 1915\(a\)\(1\)](#).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing No. 2) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule

4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

DATED this 22<sup>nd</sup> day of May, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge